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UNHCR ACTIVITIES FINANCED BY VOLUNTARY FUNDS: REPORT FOR 1994-1995 AND PROPOSED PROGRAMMES AND BUDGET FOR 1996

PART IV. THE AMERICAS AND THE CARIBBEAN

Section 7 - Southern South America

(submitted by the High Commissioner)

GE.95-02320

IV. 7 SOUTHERN SOUTH AMERICA

1. This chapter covers UNHCR activities in Argentina, Bolivia, Brazil, Chile, Paraguay, Peru and Uruguay.

1. Beneficiary population

2. At 31 December 1994, southern South America hosted approximately 15,900 refugees as estimated by governmental authorities, of whom 3,000 were assisted by UNHCR. Some 50 nationalities can be identified among the refugees hosted in the countries covered by the UNHCR Regional Office in Argentina. Most of them come from Africa (predominantly young single males from Angola, Liberia and Zaire). They arrive mainly in Brazil, for reasons of their historical, cultural and economic links, and spread gradually to neighbouring countries. Other asylum-seekers are from Europe (the Russian Federation, the Republic of Moldova, Ukraine, Bosnia and Herzegovina, and Croatia) as well as from Latin America (Peru, Cuba and, to a lesser extent, Haiti). All asylum-seekers are of urban origin and find asylum in the urban centres of the region. Asian refugees arriving in 1994 and 1995 are from India, Iraq, the Islamic Republic of Iran and Lebanon. An older caseload that arrived in the 1980s through major resettlement programmes are mainly from Cambodia, the Lao People's Democratic Republic and Viet Nam. The majority of this caseload found asylum in Argentina (with smaller numbers in Paraguay) and currently only receive UNHCR assistance for educational purposes with a view to supporting their local integration.

2. Developments in 1994 and 1995

3. As expected, the assisted refugee population increased considerably in 1994 and the first quarter of 1995. In Argentina the number of newly arrived asylum-seekers is treble the original figure foreseen, requiring an upward revision of the 1995 budget.

4. In Brazil, the 1994 programme required revisions resulting from unforeseen circumstances. On the one hand, the influx of asylum-seekers was higher than expected -- 120 monthly instead of 40. On the other hand, the number of beneficiaries anticipated for local integration was higher than the number that effectively integrated. Thus, the programme's adjustment resulted in a budgetary increase of 37 per cent. The Brazilian Government has gradually assumed more responsibility regarding refugee policy and provision of assistance to the caseload, although this will have no financial implications in the short term. Increased staffing in the Brasilia office has resulted in an enhanced capacity to run the programme proactively. Notwithstanding the fact that since the beginning of 1995 there has been a decrease in the number of asylum-seekers arriving in Brazil from African countries (mainly Angola), the number of refugees who continue to require assistance has risen. An upward revision by an estimated 15 per cent to the 1995 project may be required. By September 1995 the number of those receiving assistance will be affected by the new policy, jointly drawn up by the Government of Brazil, the implementing agency CARITAS and UNHCR, to impose a time limit on the receipt of material assistance of a maximum of six months per person. The 1996 project should start to reflect the savings that will result from this policy.

5. In a new development, and perhaps as a result of the knowledge that assistance will henceforth be time-limited as well as the lack of employment opportunities for refugees in Brazil, it has been noticed that some families originally granted refugee status in Brazil have applied for refugee status in other countries in the area, predominantly in Argentina and Chile. The Regional Office has successfully negotiated with the Government of Brazil for their return to Brazil.

6. Chile is also witnessing an increase in asylum-seekers -- mainly from Peru and Cuba -- from an average of six persons per month in 1994 to eleven in the first quarter of 1995. Chilean government institutions are committed to making every attempt to place refugees in the local labour market. These institutions, working in cooperation with national institutions, are extending their facilities to the returnee population as well.

7. The situation in Peru has evolved throughout 1995. While it was initially feared that internal violence, the flow of Peruvian asylum-seekers and requests for family reunification with Peruvian refugees abroad would increase, as indeed they did in early 1995, they subsequently proved to be less serious during the course of the year. The outflow of Peruvians remained steady, its main impact falling on Bolivia, Argentina and Chile. Family reunification with refugees abroad continues, although there is no specific programme foreseen for the group. Peruvian refugees abroad are increasingly requesting assistance in obtaining personal documents such as birth certificates and other documents from their country of origin.

(a) **Voluntary repatriation**

8. In March 1994 the Cessation Clauses of the UNHCR Statute and the 1951 Convention were deemed to apply to refugees who had fled Chile as a result of events which took place following the 1973 military coup. The effect of this has been an upsurge in the number of Chileans abroad requesting refugee status in order to obtain repatriation assistance. Case-by-case analysis of the requests resulted in recognition of an increased number of returnees to Chile, requiring a revision of the 1994 budget for voluntary repatriation. In August 1994 the Chilean National Return Office (NRO) ceased its four-year activities, after having assisted some 60,000 Chileans representing 17,500 families. Legal benefits for returnees such as tax exemptions and recognition of academic degrees were also agreed on: tax exemptions are still valid according to migratory criteria and recognition of academic degrees will continue until the end of 1995 for returnees who manifested the will to return prior to March 1994. The UNHCR Liaison Office in Chile has verified some 3,000 returnees to confirm their refugee status obtained abroad and to grant them certificates which would allow them to obtain benefits from the NRO.

9. Another group of nationals increasingly opting for voluntary repatriation are some of the Lao and Cambodians resettled in Argentina in the late 1970s. Assessments of these requests will be made together with the implementing agency bearing in mind the extension of their residence in the asylum country and the fact that most of the families have Argentine children and thus have the possibility of obtaining permanent residence in and nationality of the asylum country.

3. 1996 country programmes

(a) Objectives

10. The Regional Office will continue to promote its policy of local integration through its interaction with the Government, the local community and the implementing partner in each country. Further emphasis will be given to promoting the right of asylum and human rights in general, and refugee law in particular, through seminars, workshops, conferences and public information campaigns.

11. During 1996 Brazil is expected to continue receiving substantial numbers of Angolans, Zairians and Liberians. The Brazilian Government has a generous policy of granting entry visas based on its traditional cultural and economic links with Angola. However, if improvements in the country of origin continue, 1996 may see a reduction in the flow of asylum-seekers from that country. In addition, implementation of the policy concerning the gradual discontinuation of subsistence allowance to those refugees who are fully documented and in a position to find a job may allow for a reduced allocation during 1996.

12. The Tripartite Agreement signed with Chilean Government, the International Organization for Migration (IOM) and UNHCR ceased altogether with the closure of the NRO. As it was considered important that UNHCR should continue its activities in ensuring protection to returnees, an agreement was reached with Social Pastoral Vicariate of the Archbishopric of Santiago to implement a Trust Fund project aimed at providing legal assistance to returnees.

13. As a result of a Regional Workshop on Educational Assistance to Refugees held in Buenos Aires in March 1995, procedures will be streamlined in all of the countries implementing education programmes to achieve higher consistency in the coordination of educational policies oriented to local integration of the refugees in those countries. The number of students benefiting from assistance under the Education Account in 1996 will be similar to those in 1994 and 1995, provided that the academic requirements are duly fulfilled. In addition, the German Albert Einstein Academic Refugee Initiative (DAFI) Programme for assistance to higher education will also continue to be implemented throughout the region, estimated to benefit 144 refugees and 66 Chilean returnees. This project is proving to be a great support for the local integration of the refugees.

(i) Implementing legislation and promotion of refugee law

14. The countries covered by the Regional Office are all parties to the 1951 Convention and its 1967 Protocol. However, not all of them have incorporated these international instruments within their own national legislation. Encouraging the issuance of adequate national implementing legislation in accordance with the principles of international protection remains, therefore, a key priority for the Regional Office. The countries which have yet to adopt an adequate legislation are Chile, Uruguay and Paraguay. They have shown, under their current democratic Governments, full respect for human rights, in particular Chile and Uruguay.

15. In Argentina, Bolivia, Brazil and Uruguay, the creation of an Eligibility Commission is being studied and steps are being taken, with UNHCR's participation and support, to achieve successful implementation. In Chile, implementing legislation is at present under consideration by Congress. The Administration which took office in March 1994 expedited treatment of those articles dealing with refugee matters in the Executive Bill being discussed in Congress. As a result, by the end of August 1994 the lower house approved the proposal and transferred it to the Senate for final approval. In addition, recent focus has been given to the procedures to be applied in the eligibility process. Proposals in this regard are being prepared by the Chilean Institute of International Studies in close cooperation with the UNHCR Regional Office.

16. In Paraguay, there is still need for further high-level discussion to raise awareness on refugee matters and international protection. A decree proposing procedures, although not entirely up to international standards, demonstrates that positive developments are taking place and must be followed up. Implementing legislation in Peru is awaiting amendment. Two regional seminars are foreseen in 1996, one on refugee policy and another on internally displaced persons Both seminars will follow similar ones held during the past two years, the conclusions of which will help to evaluate the results achieved in each of the issues concerned and determine additional areas that need to be covered. Training plans also foresee refugee law seminars in Paraguay, Chile and Brazil in order to expedite implementing legislation, and in Bolivia and Chile to reinforce refugee eligibility procedure. The dissemination of refugee law will continue to be addressed to the armed forces of those countries participating in international peace-keeping operations, and are planned to take place in Uruguay and Bolivia. A seminar is also planned to follow-up UNHCR-NGO Partnership in Action (PARinAC) recommendations in Uruguay and Bolivia.

(b) **Proposed budgets for 1996**

17. In general, budgets are proposed at similar levels to 1995. There is a slight increase in the local settlement project in Argentina, due to increasing new arrivals. The local settlement project has been budgeted for 370 beneficiaries, but may have to be revised upwards to cover up to 660 beneficiaries.

(c) **Implementing partners**

18. UNHCR carries out its assistance programmes throughout the region in collaboration with a network of non-governmental organizations (NGOs) and in close cooperation with its governmental counterparts. The NGOs, UNHCR's implementing partners, also collaborate in eligibility determination procedures by interviewing asylum-seekers. In countries where there is no UNHCR office the implementing partner assumes responsibility for refugee-related issues under the supervision of the Regional Office, which carries out regular missions.

19. Implementation of UNHCR's programmes requires constant liaison with all its partners to ensure objectives are still relevant. Additional activities are being programmed for 1996 that will address the increasing focus on local integration through the organization of workshops, conferences and training

sessions for implementing partners and governmental bodies. The goal is to shift orientation from assistance to refugees under care and maintenance to local integration. In this respect, additional regional seminars on local integration are planned in the second semester of 1995 and again in 1996, to assist implementing partners to assess viability and impact of current local integration activities and to put into effect local integration strategies adjusted to each country context.

20. Counselling and assistance to refugees will continue to be provided through specialized agencies which possess extensive experience in migration and refugee-related issues: the Catholic Commission for Migration (CCAM), in Argentina; the Specialized Centre for Migration Studies and Services (CESEM) in Bolivia; CARITAS in Rio de Janeiro and Sao Paulo as well as Centro Italo Brasileno Asistencia y Instrucciones de Migraciones (CIBAI) Porto Alegre, in Brazil; the Catholic Institute for Migration (INCAMI) in Chile; the Catholic Commission for Migration (CCPM) in Peru; the Organization for the Protection and Assistance for Refugees (OPR) in Uruguay and the Church Committee for Emergency Assistance (CIPAE) in Paraguay. In the last case, evaluations are being made of the need to change the objectives of the programme and consequently the implementing partner. A decision will be taken once the evaluation has been completed. The Regional Office will continue to work with IOM to undertake voluntary repatriation throughout the region.

(d) **Programme Delivery and Administrative Support Costs**

21. Variations due to changes in budget parameters are not discussed in the subsequent analysis (Overview of UNHCR Activities, Part I (A/AC.96/845) refers).

(i) **1994 expenditure (all sources of funds)**

22. The 1994 expenditure was slightly lower than the revised estimates due to reduced expenditure incurred on staff costs, local travel and public information activities.

(ii) **Revised 1995 requirements (all sources of funds)**

23. The revised 1995 requirements are higher than the initial estimates. This is primarily the case in Brazil and is due to a rent increase, the need to hire security guards, provide cleaning services, and purchase new office equipment and furniture, and the creation of a National Officer post.

(iii) **Initial 1996 requirements (all sources of funds)**

24. The 1996 requirements are slightly lower than in the 1995 revised estimates. This is due to the anticipated reduction in the care and maintenance programme in Brazil as a result of a new assistance strategy, and to the planned closure of the office in Chile at the end of 1995.

UNHCR EXPENDITURE IN SOUTHERN SOUTH AMERICA

(in thousands of United States dollars)

1994	1995			1996	
AMOUNT OBLIGATED	ALLOCATION APPROVED BY 1994 EXCOM	PROPOSED REVISED ALLOCATION		SOURCE OF FUNDS AND TYPE OF ASSISTANCE	PROPOSED ALLOCATION/ PROJECTION
GENERAL PROGRAMMES (1)					
				CARE AND MAINTENANCE	
166.2	196.4	198.2	Bolivia		197.6
1,266.7	1,031.7	1,466.5	Brazil		1,218.1
104.8	124.8	175.0	Chile		173.6
13.4	21.1	21.1	Paraguay		22.4
89.3	100.0	101.5	Uruguay		101.5
70.4	85.2	90.5	Peru		90.5
0.9 a/	–	–	Argentina		–
				VOLUNTARY REPATRIATION	
216.1	160.2	160.3	Argentina		137.9
79.1	30.0	30.0	Regional Project		30.0
101.8 c/	–	–	Chile		–
				LOCAL SETTLEMENT	
500.0 b/	435.7	459.3	Argentina		465.9
5.9 a/	–	–	Brazil		–
7.0 a/	–	–	Chile		–
				RESETTLEMENT	
0.4 a/	–	–	Argentina		–
20.1 a/	–	–	Peru		–
3.6 a/	–	–	Chile		–
				PROGRAMME DELIVERY See Overview Tables (Part II)	
813.4	876.6	1,042.3	Argentina		1,025.3
336.0	356.3	602.2	Brazil		571.1
196.2	178.4	211.9	Chile		–
8.1	48.6	–	Regional Training		–
3,999.4	3,645.0	4,558.8		SUB-TOTAL OPERATIONS	4,033.9
				ADMINISTRATIVE SUPPORT See Overview Tables (Part II)	
198.7	213.0	210.1	Argentina		201.2
65.5	83.2	74.1	Brazil		69.7
51.4	62.8	71.5	Chile		–
134.4	232.6	–	Regional Training		–
4,449.4	**4,236.6**	**4,914.5**		**TOTAL (1)**	**4,304.8**
SPECIAL PROGRAMMES (2)					
				EDUCATION ACCOUNT	
17.4	17.5	–	Argentina		–
25.0	59.2	–	Brazil		–
85.8	86.0	–	Peru, Bolivia and Uruguay		–
				OTHER TRUST FUNDS	
10.4	–	71.4	Chile	Assistance to returnees in Chile	–
612.3	–	743.0	Regional Project		743.0
2.9	–	–	Bolivia		–
2.5	–	–	Peru		–
6.9	–	–	Uruguay		–
				PROGRAMME DELIVERY	
7.2	67.9	–	Regional Training	See Overview Tables (Part II)	–
				ADMINISTRATIVE SUPPORT	
–	32.0	–	Argentina	See Overview Tables (Part II)	–
				ADMINISTRATIVE SUPPORT Junior Professional Officer	
42.8	–	49.0	Argentina	See Overview Tables (Part II)	49.0
813.2	**262.6**	**863.4**		**TOTAL (2)**	**792.0**
5,262.6	**4,499.2**	**5,777.9**		**GRAND TOTAL (1+2)**	**5,096.8**

a/ obligation incurred against Other Programmes
b/ of which US$ 17,100 incurred against Other Programmes
c/ obligation incurred under the General Allocation for Voluntary Repatriation
d/ of which US$ 19,377 incurred against Other Programmes
e/ allocated from the General Allocation for Voluntary Repatriation